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**SEP 08 2004**

**OFFICE OF PETITIONS**

In re Application of	:	
Joshua D. Kaplan	:	
Application No. 09/412,404	:	ON PETITION
Filed: October 5, 1999	:	
Attorney Docket No. 106.48	:	

This is a decision on the petition to revive the above-identified application under 37 CFR 1.137(b), filed July 12, 2004.


The petition is **GRANTED**.

The above-identified application became abandoned for failure to timely a proper reply to the final Office action mailed April 2, 2003. This Office action set a shortened statutory period for reply of three months. No extensions of time under 37 CFR 1.136(a) were obtained. Accordingly, no proper reply having been received, the application became abandoned on July 3, 2003. A Notice of Abandonment was mailed on October 24, 2003.

With the instant petition, petitioner paid the petition fee, filed a reply in the form of an RCE and amendment, and made the proper statement of unintentional delay.

The application file is being forwarded to Group Art Unit 3625 for consideration of the RCE and the submission under 37 CFR 1.114, an amendment filed July 12, 2004.

Telephone inquiries concerning this decision should be directed to the undersigned at (703)305-0272.

A handwritten signature in cursive script, appearing to read "Cliff Congo".

Cliff Congo  
Petitions Attorney  
Office of Petitions